



BOARD OF PSYCHOLOGY
1422 HOWE AVENUE, SUITE 22
SACRAMENTO, CA 95825-3200
(916) 263-2699
www.dca.ca.gov/psych



**BOARD OF PSYCHOLOGY
QUARTERLY MEETING**

OPEN SESSION MINUTES

**The Westin
910 BROADWAY CIRCLE
SAN DIEGO, CA 92101
Friday, November 5, 1999**

The open session meeting of the Board of Psychology was called to order by the President, Judith Janaro Fabian, Ph.D. at 9:10 am. A quorum was present and due notice was sent to all interested parties.

Present were:

Judith Janaro Fabian, Ph.D., President
Martin Greenberg, Ph.D., Vice-President
Emil Rodolfa, Ph.D.
Pamela Harmell, Ph.D.
Mary Ellen Early
Mary McMillan
Lisa Kalustian
Marilyn Palarea

Others Present:

Thomas O'Connor, Executive Officer
Dan Buntjer, DCA Legal Counsel
Suzanne Taylor, Assistant Executive Officer
Karen Johnson, Licensing/Examination Coordinator
Jeff Thomas, Special Project Coordinator
Kathi Burns, Enforcement Analyst

Before going into committee meetings, the Board asked for clarification as to why agenda items number 3 and 4 were being discussed in open session as opposed to closed session. Mr. Buntjer explained that since the Decision in these cases were final already and could not be changed in any way, it was necessary to discuss them in open session. The Board then expressed some concern as to why the Decisions became final when one or more of the members of the Board had voted to discuss the case. Board staff explained that since a quorum of votes (five) to adopt the Stipulated Proposed Decisions had been received, it was Board policy to process the Decisions as final, then to bring it to the Board for discussion only, not for action at the next meeting. Board staff explained that when voting to discuss, a vote to either non-adopt or adopt should be indicated as well, this way it is clear

to Board staff whether the Decision should be held for Board action at the next meeting or processed as final and held for Board discussion only at the next meeting.

The Board members discussed the procedure, including their concern about the importance of not delaying the processing of a Decision.

M(Early)/S(Kalustian)/C to implement a new policy that Board staff will not finally process a Proposed Decision or Proposed Stipulation if three or more members of the Board vote to discuss and non-adopt, even if a quorum of adopt votes are received. The only exception to this policy would be in an emergency voting situation where legal time constraints exist.

Vote: 7-1

Agenda item # 2- Committee Meetings

The Credentials Committee, Examination Committee, Enforcement Committee, Legislation Committee and Consumer Education Committee met to discuss their recommendations to the Board.

Agenda item #3 - Bowen, Matthew, PhD - Discussion on Adopted Stipulation

The Board discussed the disciplinary action taken against Dr. Bowen. No action was taken.

Agenda item #4 - Rosner, Joseph, PhD - Discussion on Adopted Stipulation

The Board discussed the disciplinary action taken against Dr. Rosner. No action was taken.

Agenda item #5 - Regulation Hearing - Licensing/Renewal Fee Decrease

M(Fabian)/S(Harmell)/C to approve the regulation language.

Vote: 8-0

Probation Order Wording

During the Strategic Planning session, the Board discussed the implications of the wording in probations that first revoked a license, before issuing an order of probation. (Revoked, revocation stayed, probation). The discussion focused mainly around whether it was always appropriate or necessary to revoke the license before placing it on probation. Mr. Buntjer explained that the revocation portion of the discipline is there for the purpose of revoking the license if the licensee were to fail to complete the terms and conditions of probation. Mr. Buntjer indicated that though this is standard legal language used by all boards, the Board may be able to accomplish the same outcome by issuing an order of probation and including a term of probation that would result in revocation of the license if the licensee failed to complete the terms and conditions of probation. Mr. Buntjer suggested that Board staff consult with the Attorney General's office for an opinion on this matter before further discussion. The Board agreed and requested staff to consult with the Attorney General's office for discussion at the next Board meeting.

Agenda item #6 - Regulation Hearing - Spousal/Partner Abuse

M(Greenberg)/S(Palarea)/C to approve the regulation language.

Vote: 8-0

Agenda item #7 - Davis, Cynthia PhD - Petition for Reinstatement of Revoked Certificate

Present at the hearing were Dr. Davis representing herself, Ms. Beth Faber Jacobs from the Attorney General's Office representing the People and Judge Stephen Hjelt as the presiding Administrative Law Judge.

Agenda item #8 - Johnson, Mark, PhD - Petition for Termination of Probation

Present at the hearing were Dr. Johnson representing himself, Ms. Beth Faber Jacobs from the Attorney General's Office representing the People and Judge Stephen Hjelt as the presiding Administrative Law Judge.

The Board adjourned into closed session at 5:05 pm.

Respectfully submitted,

Judith Janaro Fabian, Ph.D.
President

Date

Marty Greenberg, Ph.D.
Vice-President

Date